

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **MELITZA MARTINEZ GARRIGA**CASE NO: **16-06260-ESL**

Debtor(s)

**Chapter 13****TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO ARISTIDES FIGUEROA COLON\***Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$142.00** Outstanding (Through the Plan): **\$2,858.00**

\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor(s) Income is (are) ☐ Under ☒ Above Median IncomeLiquidation Value: **\$1,963.00**Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B) General Unsecured Pool: **\$167,105.40**With respect to the (amended) Plan date: **Aug 08, 2016 (Dkt 2)** Plan Base: **\$36,000.00**The Trustee: ☐ DOES NOT OBJECT ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: **97 %**

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with Above Median Income Debtor(s) Projected Disposable Income. [1325(b)(4)]

The minimum base needed totals approximately \$41,100.00. BPPR filed its claim for an amount greater than that contemplated by Debtor in the plan and Schedules.

\*OTHER COMMENTS / OBJECTIONS

NONE.

**NOTICE**

**14 day notice:** Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

